

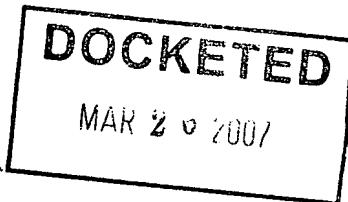


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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/584,280 | Kazuyuki Ohmoto | Q95661 |

65565
 SUGHRUE-265550
 2100 PENNSYLVANIA AVE. NW
 WASHINGTON, DC 20037-3213



| INTERNATIONAL APPLICATION NO. | |
|-------------------------------|---------------|
| PCT/JP04/19753 | |
| I.A. FILING DATE | PRIORITY DATE |

12/24/2004 12/26/2003

CONFIRMATION NO. 4079
 371 FORMALITIES LETTER



OC000000023035270

Date Mailed: 03/22/2007

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov



IFW
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q95661

Kazuyuki OHMOTO, et al.

Appln. No.: 10/584,280

Group Art Unit: Not yet assigned

Confirmation No.: 4079

Examiner: Not yet assigned

Filed: June 26, 2006

For: PREVENTIVE AND/OR THERAPEUTIC AGENT FOR DISEASE IN WHICH MITOCHONDRIAL BENZODIAZEPHINE RECEPTOR PARTICIPATES

RESPONSE TO NOTICE TO COMPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This response is in regard to the Notice to Comply, dated March 22, 2007, issued in the above-referenced patent application. The examiner set a two month period for the response. A copy of the Notice is enclosed.

In the Notice to Comply, the PTO states that a Sequence Listing is required which satisfies the requirements of 37 C.F.R. §§1.821-1.825. However, no Sequence Listing was filed with this application.

Therefore, the Notice was issued in error, should be rescinded, and this paper should be considered a full response, to the extent one is required.

Respectfully submitted,

Mark Boland
Registration No. 32,197

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WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: April 6, 2007

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/584,280 | PCT/JP04/19753 | Q95661 |

FORM PCT/DO/EO/922 (371 Formalities Notice)